

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA
Criminal No. 07-129 (DSD/JSM)

United States of America,

Plaintiff,

v.

ORDER

Duan Lazare Gaines,

Defendant.

This matter is before the court upon defendant's objections to the report and recommendation of Magistrate Judge Arthur J. Boylan dated June 20, 2007. In his report, the magistrate judge concluded that defendant's motion to suppress evidence be denied.

The court reviews the report and recommendation of the magistrate judge de novo. 28 U.S.C. § 636(b)(1)(C). Written objections to the report and recommendation were due July 6, 2007. Defendant did not request an extension of time to file objections and filed his objections on July 16, 2007. Accordingly, the court denies the objections as untimely.

Further, the court finds that the report and recommendation of the magistrate judge is well reasoned and correctly addresses the lawfulness of the search and seizure by law enforcement on January 5, 2007. For these reasons, the court adopts the report and

recommendation [Doc. No. 27] of the magistrate judge in its entirety, and **IT IS HEREBY ORDERED** that defendant's motion to suppress evidence [Doc. No. 17] is denied.

Dated: July 17, 2007

s/David S. Doty
David S. Doty, Judge
United States District Court